

## **Appendix E**

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### *Comments on Draft SD1 and DWR Responses*

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## **APPENDIX E**

### **COMMENTS ON DRAFT SD1 AND DWR RESPONSES**

#### **1.0 INTRODUCTION**

On September 27, 2001, the California Department of Water Resources (DWR) issued the Draft SD1 for relicensing the Oroville Facilities. Following issuance of that document, DWR held two scoping meetings and one facilities site visit in October 2001. The scoping meetings were conducted to provide interested parties an opportunity to comment on the Draft SD1. Comments were received as written statements submitted to DWR and verbal statements provided at the two public meetings. The comments and public meeting transcripts were reviewed and responses developed by DWR. This Appendix E provides a description of the comment receipt and review process along with the associated documentation.

Following the release of the Draft SD1, DWR received 25 written comment statements from federal and State agencies; various stakeholder groups; members of the public; and several water contactors. In addition, testimony was provided at the public meetings. The comment/response tables in Attachment 1 provide a summary and response to the written comments and address testimony recorded during the public meetings. In addition to the comment and response, each table includes the source of the comment (organization and/or individual) along with the date of receipt for written comments. DWR reviewed the written statements and public meeting record and identified 208 specific comments on the written statements and 79 on the public meeting record. Each comment in the tables has been numbered to correspond to the same number placed on the written statements and public meeting records. Copies of the written statements are provided in Attachment 2 and the public meeting record is available upon request or can be viewed at the DWR web site for relicensing the Oroville Facilities (<http://orovillereLICENSING.water.ca.gov>). The comment statements (letters and written statements) are organized in a manner that allow the reader to locate a specific letter, identify a comment, locate the comment on the comment summary table in Attachment 1, and review the DWR response. The stakeholder groups providing written statements and public meeting speakers included the following:

#### Federal Agencies

National Park Service	F-01
Plumas National Forest	F-02
National Marine Fisheries Service	F-03

#### Stakeholder Groups

California Business Properties Association	G-01
California Chamber of Commerce	G-02
Association of California Water Agencies	G-03
California Independent System Operator	G-04
Oroville Foundation of Flight	G-05
Southern California Water Committee (Anderson Dym)	G-06
Southern California Water Committee (Vanden Heuvel)	G-07
PaleoResource Consultants	G-08
F.D. Pursell, Civil Engineering Services	G-09

State Agencies

Electrical Oversight Board	S-01
State Water Resources Control Board	S-02
California Department of Fish and Game	S-03
California Department of Fish and Game	S-04
California Department of Fish and Game	S-05

State Water Contractors

State Water Contractors	W-01
Kern County Water Agency	W-02
Alameda County Flood Control and Water Conservation District	W-03
Castaic Lake Water Agency	W-04
Metropolitan Water District	W-05
Santa Clara Water District	W-06
State Water Contractors	W-07
Feather River Diverters	W-08

Public Hearing Speakers – Oroville, CA, October 29, 2001

Robert Fehlman, representing Joint Board and Western Canal Water District  
Floyd Higgs, representing Oroville Model Airplane Club  
Ron Turner, representing Oroville Foundation of Flight  
Rob MacKenzie, representing Butte County  
Mike Kelley, representing Butte County Taxpayers Association  
Peter Maki, representing Feather River Nature Center  
Ron Davis, representing California State Horseman's Association  
Kathy Hodges, representing Equestrian Trail Riders and Hikers

Public Hearing Speakers – Sacramento, CA, October 30, 2001

Mike Wade, representing California Farm Water Coalition  
John Coburn, representing State Water Contractors  
Mary Lou Cotton, representing Castaic Lake Water Agency  
Dan Smith, representing Association of California Water Agencies  
Nan Nalder, representing California Chamber of Commerce  
Ed Ely, representing California Business Properties Association  
Geoffrey Vanden Heuvel, representing Southern California Water Committee  
Vincent Wong, representing Alameda County Flood Control and Water Conservation District  
Wilson Head, representing California Independent System Operator  
Don Marquez, representing Kern County Water Agency  
Lisa Wolfe, representing State Electricity Oversight Board  
Ken Kules (for Tim Quinn), representing Metropolitan Water District

## **2.0 DWR REVIEW OF STAKEHOLDER COMMENTS ON DRAFT SD1**

The public meeting transcripts and written statements were carefully reviewed to identify specific comments. The review consisted of identifying comment text within the letters and transcripts, bracketing the text in the right margin, and assigning an alpha-numeric code near the

bracket. To facilitate comment review, the written statements were divided into four groups with each written statement containing a corresponding letter designation:

- F – Federal Agency
- G – Stakeholder Group
- S – State Agency
- W – Water Contractor

The alpha-numeric scheme employed to identify individual comments consisted of sequential numbers for comment letters and group designation letters. For example: F-02-03 is interpreted as follows: the second written comment statement received from a federal agency (F-02). On that letter “03” represents the third identified comment for which a response has been prepared. The public transcript records were handled in a similar manner. The meeting held in Oroville on October 29, 2001 is designated as “M1” so all comments on the transcript are preceded with that identifier. Likewise, the meeting held in Sacramento on October 30, 2001 is designated as “M2.” There were multiple speakers at each meeting, so the M1 and M2 are followed by a number such as “05” representing the fifth speaker. Finally, for that speaker, a number of comments were identified and these are noted in sequential order. Therefore, M1-05-07 identifies the seventh comment, of the fifth speaker at the first public meeting in Oroville. Copies of the written statements are included in Section 5.0 of this appendix.

Comment summary tables were prepared containing the alpha-numeric code; identification of comment source (organization and/or individual); a summary of the identified comment; and a response prepared by DWR. The comment tables are located in Attachment 1 of this Appendix E and are organized in two separate sets. The first set is labeled “Summary of Written Comments on the Draft SD1 and DWR Responses” and corresponds to the written comment statements received during public review of the Draft SD1. The second set is labeled “Summary of Comments from the Public Meetings and DWR Responses” and corresponds to the speaker-presented comments at the two public meetings. Many of the comments received by stakeholders were addressed during development of the study plans.

### **3.0 ALP Progress**

Since the release of Draft SD1, DWR and the ALP have addressed stakeholder concerns for the existing license conditions, interim projects, and coordination with comprehensive water planning efforts. The following is a summary of DWR’s efforts at addressing these topics.

#### **3.1 Existing License Conditions**

The FERC records indicate that DWR has complied with all of the articles of the current license for P-2100. These public records can be reviewed from the FERC website, and at the FERC offices in San Francisco and Washington DC. The ALP process has been developed to address public concerns over the next license term. DWR has proposed to conduct a series of studies that will guide the implementation of the next FERC license, including facility operations, maintenance, and improvements.

### **3.2 Interim Projects**

DWR is implementing several interim projects that will be part of a comprehensive settlement package. Interim projects will be implemented under the terms and conditions of the existing license, no amendment of the existing license will be required to implement the interim projects. These projects have been developed by the Recreation Work Group and are currently being reviewed for implementation by the Oroville Field Division of DWR. This review includes an environmental and regulatory assessment to identify permit requirements prior to implementation. The projects are grouped into four categories and include:

#### Category I – Implement with minimum environmental review planning and design

- Restroom upgrades
- Loafer Creek equestrian camp improvements
- Group staging areas
- Bidwell Exhibit
- Saddle Dam improvements
- Lake Oroville overlook improvements 1
- Shooting range
- Warning system for water releases
- Model airplane site improvement
- Reseed Oroville Dam face
- Fish hatchery landscaping
- Improve day use parks

#### Category II – Requires involved environmental review, planning, and design

- Vehicle access at Lakeland Boulevard
- Tournament water ski site
- Develop a demonstration parallel mountain bike trail

#### Category III – Needs further analysis, consider impacts on resources

- Height adjustable swim dock
- Winterize floating campsites
- Lake Oroville overlook improvement 2
- Upgrade roads to facilities
- Seaplane base

#### Category IV – Ongoing efforts, continue working group discussion

- Promote existing facilities
- Boating safety training
- Investigate funding source for recreation development

### **3.3 Relicensing Coordination with Comprehensive Proceedings**

DWR is currently participating in several Statewide water planning efforts including CALFED, the USACE Sacramento and San Joaquin River Basins Comprehensive Study, as well as the Bureau of Reclamation's Central Valley Improvement Program. DWR participation includes management, cost sharing, and study implementation. The relicensing efforts for the Oroville Facilities will not duplicate these planning efforts. Studies conducted for the relicensing program will focus on the effects of the Oroville Facilities. When available, the relicensing studies will incorporate existing information developed by these planning efforts.